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February 15, 2006

Honorable Michael A. Telesca
United States District Judge
Western District of New York
100 State Street
Rochester, New York 14614

Re: Ronald Miles v. Commissioner
05-CV-6398T

Dear Judge Telesca:

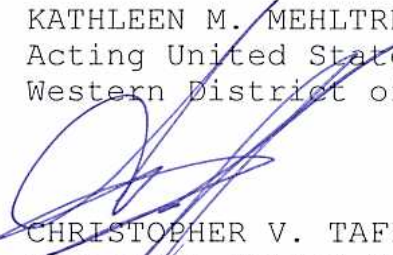
On January 23, 2006, this Court signed an extension of time to file our dispositive motion until February 22, 2006, in this case. Unfortunately the wrong civil number was placed in the caption and the extension of time was docketed to the wrong case. This office has spoken to Courtroom Deputy Melissa Schoen and she informed us that we should request an extension of time in the proper case.

Therefore, we are requesting an extension of time to file our dispositive motion in this case. The plaintiff's attorney, Andrew M. Rothstein, has agreed to an extension until February 22, 2006, to allow the government to file its dispositive motion.

Please contact me if you have any concerns. Thank you for your consideration.

Respectfully yours,

KATHLEEN M. MEHLTRETTER
Acting United States Attorney
Western District of New York


BY: CHRISTOPHER V. TAFFE
Assistant United States Attorney

CVT/lap

cc: Andrew M. Rothstein, Esq.

SO ORDERED:

S/ MICHAEL A. TELESKA

HONORABLE MICHAEL A. TELESKA
UNITED STATES DISTRICT JUDGE
DATED: FEBRUARY 15, 2006
